

MEETING #39 - October 29

At a Regular Meeting (#2) of the Madison County Board of Supervisors on October 29, 2019 at 6:00 p.m. at the Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT: R. Clay Jackson, Chair
 Amber Foster, Vice-Chair
 Jonathon Weakley, Member
 Kevin McGhee, Member
 Charlotte Hoffman, Member
 Jack Hobbs, County Administrator
 Sean Gregg, County Attorney
 Jacqueline S. Frye, Deputy Clerk

Call to Order, Pledge of Allegiance & Moment of Silence

Chairman Jackson advised that members are present; a quorum was established.

Determine Presence of a Quorum/Adopt Agenda

Chairman Jackson noted that a quorum was present.

Chairman Jackson called for deletions, corrections or addition's to today's Agenda.

The following item(s) was added:

New Business: Item 1b - Finance

Supervisor McGhee moved that the Agenda be adopted as amended, seconded by Supervisor Foster.

Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).

Public Comment

Chairman Jackson opened the floor for public comment. The following individual(s) provided comment(s):

Carty Yowell: Comments pertained to the proposed demolition of the old Criglersville school; feels the village of Criglersville has become more vibrant over the past few years (i.e. feels that the significance of the Old Blue Ridge Turnpike (in his opinion) can't be overlooked; referred to the positive endeavors made at the site (i.e. memorial for those displaced by the national park; the museum [initiated by the historical society]; repurpose of old Criglersville Store, Graves' Mountain Farm & Lodging); also referred to the State wildlife/game/fishing endeavors in the area, the initiation of variety of hiking areas, the property has access to trout fishing; referred to Goal #2 of the Comp Plan:

To promote tourism and tourists/visitor related enterprises, and to encourage private landowners and the Department of Game & Inland Fisheries to identify and/or develop public access to all public streams; feels that the old property 'has value' and is a 'prime location' to accommodate tourism efforts or another business uses; verbalized his position that the old school should be advertised for sale for at least two (2) years (i.e. based on the fact that his efforts to sale 101 acres of prime farmland did take a year to accomplish); encouraged the

County to retain the property at least until 2020 and put the \$250,000+ in funding towards more pressing needs within the County; referred to a website (i.e. Leafnet) that allows advertising of commercial properties; encouraged the County to continue to 'kick the can on down the road.'

Albert Yowell: Comments pertained to the proposed future demolition of the Old Criglersville Elementary School; feels that the old building is very sturdy and still has future uses; suggested the County continue to keep the building up for sale (i.e. building can be sold for what it will cost to demolish it vs. the actual value of the property); in the event someone purchases the building, all associated issues 'will be the buyers' and not the County's; noted that the structure has additional issues (i.e. lead paint, water/sewer, asbestos, etc.) and that the County doesn't have any responsibility for these concerns). ; and in the event someone purchases the building, all issues associated with the structure will be the new owners' responsibility and not the County's; feels the building could be used for future storage; suggested that any potential buyer(s) be allowed some type of incentive.

Charles "Mike" Fisher: Comments pertained to the old Criglersville Elementary School and related to the fact that the school system elected to return the building to the County due to asbestos being found in the structure; also noted that he was a part of the CES Repurposing Committee that provided recommendations for the future of the building; also disagreed with comments (by Albert Yowell) that the County has no responsibility regarding lead paint, water/sewer and asbestos), based on state regulations; although he is very fond of the old school, the future of the building has been discussed multiple times and has been 'sitting' for many years and a solution needs to be attained; also questioned if a Building Inspection has been hired; encouraged any local Veterans to feel free to attend the legion meetings; recent catfish supper was a great success; the legion will also host a Veteran's Day ceremony on 11'11'2019 at 11:00 a.m. at the legion hall.

With no further comments being brought forth, the public comment opportunity was closed.

Special Appearances

1. Public Hearing: Employee Background Check Ordinance (Hobbs): Chairman Jackson advised that tonight's public hearing will be on Ordinance #2019-14 to require criminal history investigation for certain Madison County employees.

The County Administrator advised that the state code requires that the locality have an ordinance in place before certain types of backgrounds checks can be initiated; the procedure was recommended by the consultants and a public hearing has been advertised for the proposed ordinance. In closing, he advised that the document indicates that all procedures are 'mandatory'; however, he suggested that the Board discuss the mandatory provision, and provided staff direction before taking final action on today's matter. A delayed effective date would allow staff time to establish some administrative infrastructure that will be needed in order to implement this proposed program.

The County Attorney verbalized concerns that regarding verbiage in the state statute that pertains to requirements regarding employee background checks and whether the past criminal conduct of an individual would be compatible with the nature of their employment or licensure. The request to require criminal

background check would be deferred to the Board. In closing, it was noted that there are some positions that do not require individuals to handle public funds or work directly with others; therefore, not necessarily requiring that a background check to be initiated. Reference was also made pertaining to costs associated with this procedure, and the fact that an ordinance (approved by the Board) could be initiated to require that a background check be required for everyone under the employ of Madison County.

Comments from the Board:

Chairman Jackson: Suggested that the County require criminal background checks across the Board; also referred to the fact that Madison Parks & Recreation perform these checks (for a minimal fee) for folks they employ.

Supervisor Foster: Suggested the County assess the overall cost before approving the proposed ordinance.

Supervisor Weakley: Advised that the County has few hires; feels that the criminal background check is relatively standard; suggested the County assess the overall costs.

It was also noted that Katilia Strothers, Human Resources, would be the individual to handle this process.

The floor of the public hearing was opened to the public.

- Nick McDowell: Noted that there are several websites available that will provide unlimited opportunity to have detailed background checks for a minimal fee, and also questioned what would be the scope of the background investigation process.
- Joe May: Questioned what procedures the school system follows when hiring new employees.
- Albert Yowell: Questioned what procedures other localities or employers follow in this regard.

The County Attorney noted that there are some limitations with attaining outside vendors to perform this type of investigation. He further noted that the local Sheriff's Department has the access to the best information. Therefore, he feels it would be best to allow an existing agency to perform background investigations.

With no further comments being brought forth, the public hearing was closed.

Supervisor McGhee: Advised that all new (VDOT hires) within his department pay a \$10.00 fee toward their own background investigation; verbalized favor of the process being discussed.

Supervisor Weakley: Verbalized favor of the County implementing the background investigation procedure; also noted that it may be best to wait and take action on November 12, 2019 so as to allow the County some time to define who will be performing the process (i.e. Sheriff's Department) or assess whether there is another source that can provide background investigative services for the County.

The County Attorney noted that either proposal (as provided by Supervisor McGhee and Supervisor Weakley) would be appropriate, and advised that additional information can be attained on this matter by the time of the November 12, 2019 meeting session. He suggested the Board vote to table action until the November 12, 2019 meeting session.

Supervisor Hoffman moved that the Board table action on Ordinance #2019-14 [To Require a Criminal History Investigation for Certain Madison County Employment Applicants] until the November 12, 2019 meeting session, seconded by Supervisor Foster. *Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).*

2. Consideration: Madison Vines RV Park Site Plan Approval (Hobbs): Phillip Moreau (Owner) was present to report that the Virginia Department of Health has forwarded the review of the septic plan to Katherine Burton, Fauquier County, who will provide comments within the next few days. At that time, he plans to provide a response regarding the comprehensive plan, which is the last item needed in order for the proposed site plan to be approved. In closing, he requested that the Board consider approving the site plan, if appropriate, subject to the Virginia Department of Health signing off on the proposed septic system plan for the project.

Chairman Jackson: Noted that he spoke with Susan Fortenberry (VDH) regarding the proposed septic plan which were most favorable.

In discussing the aforementioned information with the County Attorney, it was reported that the Board can vote to approve tonight's proposal contingent upon approval being attained by the Virginia Department of Health.

Supervisor Weakley: Questioned whether approval from VDH representatives in Fauquier was based on local VDH representatives lacking the appropriate credentials to provide assistance.

Chairman Jackson: Advised that (based on comments from Fauquier), the plan is fairly substantial, and needs extensive review, as opposed to most less intense projects.

Mr. Moreau also noted that he has built projects in much larger localities, but they had staff in place that could provide assistance with large scale projects that involved large wastewater treatment services. In closing, he noted that the project being proposed in Madison County had to be 'shopped out' and required soil inspections, review of plans by engineers and other required staff, due to the plan involving 153 sites with 75 sites being new, which required additional septic system capacity.

Supervisor Weakley moved that the Board approve Zoning Case No. SP-08-19-10, site plan approval request from Shenandoah Hills RV Resort & Cottages, LLC (AKA Madison Vines), pending receipt of written confirmation that the health department has approved the septic system for the development, seconded Supervisor Hoffman. *Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).*

3. Presentation: Gary Misch (Mad Cats) was present to provide a brief presentation on the progress report/services offered by his organization, and advised that:
Since we attended the BOS meeting on September 24th, MAD Cats has been busy spaying/neutering and vaccinating community cats.

From 9/27-10/12, 34 more cats went through our TNR program bringing our total to over 175 for the year.

While overpopulation of cats can't be eliminated, it can be stabilized and reduced over time.

By providing low/no cost TNR services, MAD Cats gives citizens an option other than surrendering their cats to the shelter

Fees to spay/neuter a cat cost around \$50-\$90 per cat, which Mad Cats negotiates

He reported that Mad Cats sells socks to help support the services provided to stray cats for \$5.00 a pair. Mad Cats also has a Facebook page that provides information on the organization. Services provided assist with over-population of cats in the County as opposed to these cats ending up in the local shelter. In closing, he recommended that the County:

Hire a professional manager to implement effective shelter best-practices

Charter a Citizens Advisory Committee to work with the shelter. This will foster public trust and ensure transparency in shelter operations. The Committee could also be a conduit for volunteers.

Work with MAD Cats to develop a sustainable TNR program in the County.

Laurie Counts of MAD Cats was present and reported that based on her review of operations at the local shelter and established guidelines for the Topping Fund, it appears to her that these funds are to be used to allow citizens funding to spay/neuter their cats, which costs the County about \$130 per cat, whereas MAD Cats pays only \$60 per cat for the same service. In closing, she advised that MAD Cats would like to work with the County to get twice as many cats taken care of than what's currently being done. MAD Cats will also provide food to those citizens who are unable to provide proper care to their cats (i.e. food); MAD Cats sells socks and other

Mr. Misch advised than many folks have cats that they can't handle and unable to provide funds to have them fixed.

Rose Jacobs of Madison Cats, was present and advised that she converses with social workers much of time, and has also meet many folks when trapping cats, do need a social worker. In turn, many social workers have advised that when they go to home to provide assistance to folks, they see numerous cats. In closing, she feels that Madison County has the above referenced issues due to poverty and/or death, but does become a social problem as well.

Supervisor Weakley: Made reference to the various reports kept (as a result of the Topping Fund) and questioned who would keep the records in the event the County entered into a partnership with MAD Cats; he noted that the Topping Fund was from an estate and those funds were to be used as recommended (i.e. for the care of local animals); citizens were encouraged to be responsible pet owners as well.

Mr. Misch advised that MAD Cats would be willing to keep whatever types of records the County desired; however, it was also stressed that the County would pay directly to those who are performing services to the felines and that no money would flow through MAD Cats. many folks they provide assistance to also are in need of a social worker.

The Board thanked Mr. Misch for tonight's presentation.

4. Consideration: South Park Development Erosion & Sediment Control Bond (Hobbs): Chairman Jackson advised that the bond for the South Park (Wieland Property) has been provided as recommended by Matt Aylor, Erosion & Sediment Technician, for \$70,479.00 for approval.

Supervisor McGhee moved that the Erosion and Sediment Control Bond amount for Phase I of the South Park project on U.S. Route 29 South across from Madison County High School (TM48-131, Zoning Case SP-09-18-10 that was conditionally approved on December 11, 2018) be set at \$70,749.00, seconded by Supervisor Foster. *Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).*

Constitutional Officers

Commonwealth Attorney: Clarissa Berry, Commonwealth Attorney, was present to advise that she participated in a tour of the Central Virginia Regional Jail; the facility is in the midst of having plumbing redone in the older part of the structure; a full-time teacher has also been brought on board to help inmates attain a GED and move forward with a more productive life once they're released; improvements were quite impressive and many positive things are being done at the facility.

It was questioned if the regional jail still provides the inmate workforce program, to which Roger Berry, Director of Facilities, noted that the jail is currently under-staffed, but has provided services to the County during past months.

County Departments

Building/Zoning: Ligon Webb, County Planner, was present to report that a new Building Official has now been hired, along with a new Building/Zoning Technician. A report was also provided on the upcoming commission members' terms that will expire January 31, 2020.

E911: Brian Gordon, Director of Emergency Communications, was present to report that the proposed radio project negotiations should start mid-November; the NextGen 911 kick-off meeting will be held tomorrow, which should in order by mid-March 2020.

EMS: John Sherer, Director of Emergency Management, was present to report that the national park has hired David Robinson as the new Fire Manager; the Memorandum of Understanding with the Fire Department is in order but may need some slight tweaking; also reported that Rappahannock County is in the process of hiring folks for paid EMS for the first time and has asked for input from Madison County; a grant application has been submitted to help with the purchase of communications upgrades for the vehicle being used by Brian Gordan (i.e. \$3,500.00 with no match).

Committees or Organizations

Madison County Planning Commission: Stephen Carpenter, Commission member, was present and reported that the Commission has received six (6) applications for consideration at the next meeting session; the Commission continues to discuss an event ordinance; good input has been received from the County Planner concerning input and strategies that are a definite benefit to the Commission.

Charles Michael Fisher, Commission member, was present and advised that the Commission continues to

study the matter concerning approving four (4) subdivisions on a private road; he also noted that the propose South Park project and the Madison Vines R/V Resort will be definite assets to the County, as they will provide good sources of income for the County.

Economic Development: Tracey Gardner Williams, Director of Economic Development & Tourism, was present and advised that two (2) contracts are in the works for the old Family Dollar store location.

Minutes

5. Consideration: October 8'2019 Meeting Minutes (Frye): Chairman Jackson called for additions, corrections or approval of the proposed Minutes. Supervisor Foster moved that the Board approve the minutes of Meeting #38 (October 8'2019) as presented, seconded by Supervisor McGhee. *Aye: Jackson, Foster, McGhee, Hoffman. Nay: (0). Abstain: Weakley.*

6. Consideration: Requests for Criglersville School Artifacts (Frye): Chairman Jackson advised that the County has received some citizen requests for artifacts from the Criglersville School (six [6]).

After discussion, it was the consensus of the Board to assess the future outcome of the building before allowing citizens to assume ownership of any artifacts that remain on site.

7. Discussion: Conflict of Interest Training Reminder (Frye)

8. Discussion: Pending Committee Reappointments & Vacancies (Frye)

The Deputy Clerk reminded the Board members that everyone is required to register (as per the request of the Ethics Council) to take the conflict of interest training by December 31, 2019.

Clarissa Berry, Commonwealth Attorney, was present to report that she has completed the training that is required for all County elected officials.

A list of the existing Board/Commission/Authority appointments was provided, at the request of the Board, for consideration, reappointment or advertisement.

Appointments Pending as of 10/22/2019

		<u>Appointed</u>	<u>Term Expires</u>
Board of Zoning Appeals (appointed by circuit court)	 Douglas Coppedge (can be removed)		12/31/2019
Community Policy & Management Team	 Charlotte Hoffman, Board Rep.	1/2/2019	12/31/2019
 Charlotte will reach out to the existing members	Lynn Blythe	1/8/2019	12/31/2019
	Martha Carroll	1/8/2019	12/31/2019
	Wade Kartchner	1/8/2019	12/31/2019
	Valerie Ward	1/8/2019	12/31/2019
	Jeanette Alexander	2/12/2019	12/31/2019
	Vassi Griffis	1/8/2019	12/31/2019
	Taisha Chavez	7/23/2019	12/31/2019
	Mary Jane Costello	1/2/2019	12/31/2019
	Tiffany Woodward	1/8/2019	12/31/2019
Park & Recreation Authority	 R. Clay Jackson, Board Rep.	1/2/2019	12/31/2019
	 Carlton (Carty) Yowell, Board Rep.	1/2/2019	12/31/2020
Planning Commission	 Mike Mosko	1/31/2020	
	Charles Michael Fisher	1/31/2020	
	Peter Work	1/31/2020	
	 Carlton Yowell	1/8/2019	1/31/2023
Social Services Board	 Charlotte Hoffman, Board Rep.	1/2/2019	12/31/2019
Topping Fund Committee	 R. Clay Jackson, Board Rep.	1/2/2019	12/31/2019
	 Amber Foster, Board Rep.	1/2/2019	12/31/2019
	Jack Hobbs	1/2/2019	12/31/2019
	Annette Dodson	1/2/2019	12/31/2019
	Greg Cave	1/2/2019	12/31/2019
Tourism Committee	 Lydia Hansen	1/24/2019	12/31/2019
 Tracey will reach out to the existing members	Lynn Graves	1/24/2019	12/31/2019
 No new application will be required	Alan Webb	1/24/2019	12/31/2019
	Janine Jenson-Oakerson	1/24/2019	12/31/2019
	Brent Lohr	1/24/2019	12/31/2019
Blue Ridge Committee for Shenandoah Park Relations	 Carlton (Carty) Yowell, Board Rep.	1/2/2019	12/31/2019
 Jonathon will reach out to the existing County liaisons	Kevin McGhee, Board Rep.	1/2/2019	12/31/2019
	Bruce Bowman, Member	1/8/2019	12/31/2019
	James Ballard, Alternate	1/8/2019	12/31/2019

Central Virginia Economic Development Partnership	Jack Hobbs	1/2/2019	12/31/2020
Central Virginia Regional Jail	Kevin McGhee, Board Rep.	1/2/2019	12/31/2020
Madison Extension Council	R. Clay Jackson, Board Rep.	1/2/2019	12/31/2020
Piedmont Workforce Development Board	Amber Foster, Board Rep.	1/2/2019	12/31/2020
Amber will reach out to Ms. Dyer	Emily Dyer	1/8/2019	12/31/2019
Rappahannock Juvenile Detention Center Board	Nancy (Nan) B. Coppedge	1/8/2019	12/31/2019
Clay will reach out to Nan	Charlotte Hoffman, Alternate	1/2/2019	12/31/2019
	Mary Jane Costello (Finance Committee)	1/2/2019	12/31/2019
Rappahannock River Basin	Carlton (Carty) Yowell, Board Rep.	1/2/2019	12/31/2019
Rappahannock Rapidan Community Services Board	Amber Foster, Board Rep.		12/31/2019
Rappahannock-Rapidan Regional Commission	Charlotte Hoffman, Board Rep.	1/2/2019	12/31/2019
	Jack Hobbs	1/2/2019	12/31/2019
Rappahannock-Rapidan Food Policy Council	Brad Jarvis	1/22/2019	12/31/2019
Regional Preparedness Advisory Committee for Interoperability	Brian Gordon	1/2/2019	12/31/2019
Skyline Community Action Partnership (CAP)	Kevin McGhee, Board Rep.	1/2/2019	12/31/2019
Will reach out to Mr. Work	Peter Work	1/2/2019	12/31/2019
Thomas Jefferson Area Criminal Justice (OAR)	Kevin McGhee, Board Rep.	1/2/2019	12/31/2019
	Clarissa Berry	1/2/2019	12/31/2019
Thomas Jefferson EMS Council	Kevin McGhee, Board Rep.	1/2/2019	12/31/2020
	Carlton (Carty) Yowell, Alternate	1/2/2019	12/31/2020
School Capital Improvement Plan Committee	Amber Foster, Board Rep.	1/2/2019	12/31/2020
	R. Clay Jackson, Board Rep.	1/2/2019	12/31/2020
	Jack Hobbs, County Administrator	1/2/2019	12/31/2020
Shenandoah Committee	Tracey Williams Gardner	1/2/2019	12/31/2020
	Jack Hobbs	1/2/2019	12/31/2020
-	-	-	-
Director of Emergency Management	R. Clay Jackson, Board Rep.	1/2/2019	12/31/2020
Deputy Director of Emergency Management	Jack Hobbs	1/2/2019	12/31/2020

Coordinator of Emergency Management	John Sherer	1/2/2019	12/31/2020
Deputy Coordinator of Emergency Management	Brian Gordon	1/2/2019	12/31/2020
Historical Society Liaison	Charlotte Hoffman, Board Rep.	1/2/2019	12/31/2020
Madison County Fire Department Liaison	Amber Foster, Board Rep.	1/2/2019	12/31/2020
Madison Town Council Liaison	R. Clay Jackson, Board Rep.	1/2/2019	12/31/2020
	Carlton (Carty) Yowell, Board Rep.	1/2/2019	12/31/2020
Madison County School Board Liaison	Charlotte Hoffman, Board Rep.	1/2/2019	12/31/2020
	R. Clay Jackson, Board Rep.	1/2/2019	12/31/2020
Madison County Rescue Squad Liaison	Carlton (Carty) Yowell, Board Rep.	1/2/2019	12/31/2020
Madison County Library Board Liaison	Charlotte Hoffman, Board Rep.	1/2/2019	12/31/2020
Planning Commission Liaison	R. Clay Jackson, Board Rep.	1/2/2019	12/31/2020
Tourism Committee Liaison	R. Clay Jackson, Board Rep.	1/8/2019	12/31/2020

Planning Commission: Chairman Jackson summarized a proposal presented by Ligon Webb, County Planner, that requested that the Commission size go from nine (9) members down to seven (7) members, which may be more productive, and will also eliminate the need to advertise for the upcoming positions that will expire January 31, 2020.

Supervisor Hoffman: Verbalized favor of reducing the members on the Commission, as most localities do not have as many members and appear to be more productive.

Supervisor Foster: Feels that the County's commission does a lot more than most localities (i.e. sub-committees, research, etc.); also feels the County Planner offers extensive support to the Commission.

After discussion, it was noted that if the Commission size is reduced, this will eliminate the need to feel the forthcoming vacancies.

Charles Michael Fisher: Feels that reducing the size of the Commission from nine (9) members down to seven (7) members will reduce the amount of opinions; also noted that the members feel that diversity allows more ideas and input on a variety of topics.

Carlton Yowell: Feels that a membership of seven (7) will be more manageable; also noted that Ligon Webb, County Planner, provides a lot of support to the Commission by providing materials and information.

Stephen Carpenter: Advised that he'd like to get more opinions (from the existing membership) before a concrete decision is made; additional members do allow for the appointment of sub-committees.

Ligon Webb, County Planner, advised that his goal is to provide all necessary information to the Commission member to assist them in making more informative decisions for the County.

After discussion, it was the consensus of the of Board to formally request input from the Commission members at the November 6 meeting.

Mr. Webb also suggested that the Commission members' terms be realigned in the event the membership is reduced to seven (7) members so that terms are staggered (4-3, 4-4 or 4-5) with one month extra due to terms normally ending at the end of January of a calendar year.

- *Supervisor Weakley: Suggested that if necessary, the request can be placed on the voter docket as a referendum.*

Old Business

9. Consideration: Criglersville School Demolition Contract Award & Fee Waiver (Hobbs): The County Administrator provided recommendations on the bids that were taken for the demolition of the Criglersville school building; this item has been in the works for a little over a year. The low bid came in at \$199,932.00 that includes:

\$20,000 (site work on voting house)

\$\$70,000 (contingency to be considered and factored in)

Unless the County attains an extension from the contractor, the bid expires within thirty (30) days.

- *Chairman Jackson: Advised that he participated in two (2) telephone calls today; verbalized disfavor of wasting the time of those citizens that worked so hard on the various committees concerning the old school; Verbalized much concern about spending almost \$200,000.00 to tear down the old building which will only result in a loss of a liability for the County; advised that an individual has proposed a business plan to the Board at the November 12, 2019 meeting session, and also provided comments concerning the low bid, which he feels is very generous; suggested the Board hold off on making a formal decision about the future of the building until November 12, 2019.*
- *Supervisor Hoffman: Questioned if the individual was willing to purchase the building.*

After discussion, it was noted that the Board will need to ask the contractor for a continuation.

The County Administrator advised that the Board needs to work on a deadline structure and verbalized concerns that the contract can't be asked to completely extend his proposal.

In closing, Chairman Jackson advised that he will contact the prospective proposer tomorrow. All citizen

requests for artifacts from the old school will be reviewed after November 12, 2019.

Supervisor Weakley: Questioned the time of extension the Board will be seeking (i.e. sixty [60] days, ninety [90]); he also referred to the fact that the school building has been on the market for sale numerous time (on the part of the Board), with a few offers coming forth; he suggested the Board may need to consider placing the future of the old school on the docket as voter referendum at some point and let the public decide.

The County Attorney suggested that the Board seek which time frame that is deemed appropriate.

After discussion, it was the consensus of the Board to request a sixty-day (60) extension from the contractor.

10. Discussion. Criglersville Museum House Lease (Hobbs): The County Administrator advised that the Board authorized a change to the lease agreement between the County and the Madison Historical Society, with the County Attorney drafting an executable document. Apparently, there was some offline communications between the historical society and the electoral board regarding the expectation (on the part of the Madison County Historical Society) for a total of \$150.00 for use of the building during the upcoming election process, which will call for the County pay rent for a building that is being leased for zero dollars to a tenant. It was the intent that the County would retain the use of the building for future election proceedings. In closing, it was noted that this item is being brought forth today in an effort to attain some clarity from the Board on this matter.

The fee of \$150.00 is what the Madison County Electoral Board pays to rent various local churches that are used as polling places; there are usually one (1) or two (2) elections each year, with the possibility of there being three (3) in the upcoming year.

Max Lacy of the Madison County Historical Society was present and advised that although the historical society doesn't pay rent, extensive improvements (over \$6,000.00) have already been made to a building that belongs to the County, with the anticipation that additional funds will be spend on the building in the upcoming months. He also noted that the voting process will require the use of electricity, heating, restroom facilities and telephone service, which does cost and will more than likely exceed the requested amount of \$150.00 being requested.

Supervisor Weakley asked for input from the County Attorney on today's request being brought forth; also questioned what the process is for other locations being used during the election process.

The County Attorney referred to the fact that the building in question vs. the other voting locations being rented is that the County is the actual owner of the building being discussed; the County is in an unusual position of 'renting' something that it already owns. However, the concern being discussed evolved based on the nature of the lease agreement that is now in place between the County and the Madison County Historical Society. In closing, the Board will need to determine whether or not to agree to pay the amount being requested.

It was further noted that the existing lease agreement doesn't indicate that the County will pay the requested

funding amount being sought, and also clarified that the polling place for Criglersville has been moved for the upcoming election process.

Supervisor Hoffman: Verbalized disfavor of the County paying itself \$150.00.

Chairman Jackson: Noted that there was some expense with the prior voting location (i.e. lighting, outhouse, etc.); feels there is a chance this could be a compounding cost due to the fact there may be more elections during the upcoming year.

Supervisor Weakley: Questioned if the fee request of \$150.00 will be multiplied by the number of elections are held; questioned if today's issue was discussed by the society board.

Max Lacy: Noted that the aforementioned concept is what's utilized with other voting precinct locations; advised that the society has discussed today's funding request, and agrees that the funding will be used to cover any expenses associated by the upcoming election process.

Joe May: Comments referred to the fact that many local churches aren't in favor of allowing their facility to be used; verbalized accolades for the use of the Church located in Etlan, VA; feels the funding amount of \$150.00 is nothing compared to the amount of funding the County spends on other items.

The County Administrator encouraged that the lease explicitly state that today's decision is one that the County will be implementing.

After discussion, it was the consensus of the Board to request that the County Attorney return with a modified lease agreement to state today's funding request (of \$150.00 per election be added) to be presented for review/consideration at the November 12, 2019 meeting session.

11. Discussion: Work session on Personnel Policy (Hobbs): The County Administrator provided a copy of the personnel policy was also provided for review and consideration. The proposed policy does initiate changes to the County's existing policy, with emphasis on:

Pre-employment drug testing requirement

Adjusts the paid time off/accrual leave policy

Adjustments made to the County's employee assistance program (EAP) as per the health insurance plan

Per diem clause for traveling expenses

Issue with EMS Director's request for a 'take home vehicle'

Discussions on the proposed policy focused on the following:

Page 2: Comments from Katilia Strothers:

1. Secs. 4.13 & 5.2C, **law enforcement work schedule**: Change from 171 hours/28 days to 86/14 to reflect current practice. *Agreed (changes made)*
2. Sec. 6.4C, **pre-employment drug screening**: Note that we don't do this now. Need to put this on the hiring checklist and establish a better relationship with a testing vendor. *Agreed (need to establish better drug testing vendor relationship)*
3. Sec. 8.3.3A, **approval to take leave**: Requires request for leave 4 days in advance on a form that needs to be created. *Agreed (need to create a leave request/approval form)*

4. Sec. 8.5A.4, **paid time off accumulation limit**: Law enforcement officers are still in VRS Plan 1 that has no short-term disability component. Change the category for the 640-hour accumulation to VRS Plan 1 OR Plan 2 hired before 1/1/2020. *Agreed (changes made)*
5. Sec. 8.6F, **leave bank repayment**: Need to change “period” to “month”. *Agreed (changes made)*
6. Sec. 8.9, **bereavement leave**: Note increase of allowance from 3 days to 4 but defines “immediate family”. Need to create a form policy *Agreed (need to create a bereavement leave form)*

After further discussion, the Board agreed to discuss the issues that haven't yet been agreed upon.

Page 3: Comments from Tammy Barrett:

On page 62 of this policy Jack sent, is that saying at the end of the month you can only have 640 hours? I usually have more than that after each month. I just make sure I get it down by the end of June every year. *Ref Sec. 6.5A. Prefer end of each month to avoid vacant offices at the end of June.*

Roger Berry, Director of Facilities, was present and verbalized concerns that the proposed policy appears to take away leave time that has been earned; he also noted that there are some small county departments that don't have additional staff in place to cover when someone is out on leave.

Chairman Jackson: Noted that the smaller departments do make allowances when taking time off; he agreed that leave time should accrue until the end of the year.

Supervisor Weakley: Verbalized favor for allowing leave time to accrue until the end of the year; also questioned if there is a monthly list to show employee leave balances.

Supervisor McGhee: Verbalized favor for allowing leave time to accrue until the end of the year.

It was clarified that a leave balance report is provided to each employee once a month (from Katilia Strothers, Human Resources/Payroll).

Page 5: Noah Hillstrom:

1) The Virginia Office of EMS requires EMS agencies to have an alcohol and drug policy that includes the procedure for testing (12VAC5-31-940). Since EMS operates 24/7 there needs to be a procedure in place that covers testing outside of normal business hours. The policy itself is good but we may need to develop a County procedure for how it is carried out during off business times. *Procedures should be addressed by individual department heads. Ref Sec. 6.4 Alcohol and Drug Free Workplace.*

2) Add Director of EMS to employees authorized to take home County owned vehicles. This position is essential to public safety. *Per Board discretion. Consider limiting the distance for take-home vehicles to x miles from the Madison County line. Ref Sec. 12.10D Use of Property and Equipment/Employee's authorized to take home County owned vehicles.*

3) Consider allowing the department head to determine appropriate on call response time status to the County. Currently several lieutenants and infection control officer live outside of the County and response time would be greater than 30 minutes. Our on-call status may not typically require a physical response to the County but still requires an employee to remain on call. I would also recommend reviewing on call compensation. The

current policy awards one hour of time for every six hours of on call time. *“On-call” procedures should be addressed by individual department heads. Note that a study is proposed and no alternative language has been put forward.*

The County Administrator noted that the request presented by Mr. Hillstrom points out some specific rules regarding EMS employees (i.e. operational of workplace, take-home County vehicle; on-call procedures). It was noted that Mr. Hillstrom doesn't have a take-home vehicle, and that there is no limit on where EMS employees can live - he suggested the County initiate a limit of how many miles can be traveled beyond the County line.

Item #2 (Take-home vehicle)

Supervisor Weakley: Referred to the fact that some localities place a limit 'from the County line' and/or from building to building.

Supervisor Foster: Noted that Mr. Hillstrom is a 'first responder' and is responsible to responding to emergency calls.

It was further clarified that Mr. Hillstrom resides in Greene County.

John Sherer, Director of Emergency Management, was present to provide input on the mileage allocation; noted that most localities usually allow a twenty-mile (radius); he noted that in the event a call is received, Mr. Hillstrom will be answering the call.

After discussion, it was the consensus of the Board to allow Mr. Hillstrom to have a 'take-home vehicle (with a radius of twenty [20] miles; this will be incorporated into the County's policy.

Item #3 (On-call status)

The County Administrator noted that (in his opinion) the issue of on-call is something that can be handled by department.

John Sherer, Director of Emergency Management, was present and explained that when staff are required to be on-call (to include Brian Gordon and Noah Hillstrom), staff are given an hour for every four (4) hours worked.

Page 6: Lindsay Von Herbulis

I've been reviewing the personnel policy manual – it is very thorough! And it's HUGE. There is one question though. As part of our disability, short term disability doesn't kick in until a period of “contract days” have passed. Can you clarify the “Contract Day”? I know Tillie was looking into it for me. If she ends up finding the answer, maybe that could be clarified in this manual? *This is in reference to the short-term disability insurance provided to certain employees and the issue was referred to Tillie Strothers. However, this exposes the fact that the County needs an “onboarding checklist” to help ensure that all hiring process items have been covered.*

The County Administrator noted that concerns are being presented regarding the short-term disability policy and not the County's personnel policy.

The Finance Director noted that the healthcare consultant has advised that the County does offer short-term

disability policies through AFLAC; however, it has been recommended that the County look at an option to offer a group disability program which could be offered at a cost less than what's being offered by AFLAC.

Supervisor Weakley: Noted that the request is being suggested for 'on-boarding folks (i.e. new hires); he questioned if an orientation is being offered for new hires.

New Business

1. Finance: Chairman Jackson advised that based on the thirty percent (30%) in healthcare costs for County staff, there are some individuals who are taking home about \$400.00 less every two weeks; the extensive increase in causing staff to absorb a very high rate for dual and family coverage, which is causing the County to lose staff, which in turn, results in a leave payout for the County for accrued leave time. In closing, he noted that staff turnover is costly, and the County needs to take action on this matter.

The Finance Director provided a brief overview of the increased costs for health care. She advised that about twenty-two (22) staff members have been affected greatly by the increase in healthcare rates. She noted that the County can elect to roll back rates from FY19. There is funding remaining in the budget (contingency) that can be used for this purpose. The rate for those employees with single coverage results in about \$1,200.00 per year, which she feels (in her opinion) shouldn't be 'hard for those people to cover.' A document was provided to show the proposed change in overall costs involved.

Key Advantage 500

Rating Tiers	Premiums	County's Share	Employees' Responsibility
Single coverage (Employee Only)	\$ 734.00	\$ 630.90	\$103.10
Dual Coverage (Employee + 1)	\$1,358.00	\$ 861.46	\$496.54
Family coverage (Employee + 2 or more)	\$1,982.00	\$1,169.24	\$812.76

Key Advantage 1000

Single coverage (Employee only)	\$ 701.00	\$ 630.90	\$ 70.10
Dual Coverage (Employee + 1)	\$1,297.00	\$ 861.46	\$435.54
Family Coverage (Employee + 2 or more)	\$1,893.00	\$1,169.24	\$723.76

High Deductible Health Plan

Single Coverage (Employee only)	\$ 603.00	\$ 630.90	
Dual Coverage (Employee + 1)	\$1,116.00	\$ 861.46	\$254.54
Family Coverage (Employee + 2 or more)	\$1,628.00	\$1,169.24	\$458.76

Key Advantage 500

Single Coverage (Employee only)	\$ 718.00	\$ 630.90	\$ 87.10
Dual Coverage (Employee + 1)	\$1,328.00	\$ 861.46	\$466.54
Family Coverage (Employee +2 or more)	\$1,939.00	\$1,169.24	\$769.76

Key Advantage 1000

Single Coverage (Employee only)	\$ 685.00	\$ 630.90	\$ 54.10
Dual Coverage (Employee + 1)	\$1,267.00	\$ 861.46	\$405.54
Family Coverage (Employee + 2 or more)	\$1,850.00	\$1,169.24	\$680.76

High Deductible Health Plan

Single Coverage (Employee only)	\$ 587.00	\$ 630.90	
Dual Coverage (Employee + 1)	\$1,086.00	\$ 861.46	\$224.54
Family Coverage (Employee + 2 or more)	\$1,585.00	\$1,169.24	\$415.77

The County Administrator advised that whatever action the Board now on the proposed rates will translate to the next year.

The Finance Director advised that as per confirmation with representatives from Local Choice, Inc., the County can elect to initiate changes at this point in time.

Discussions focused on whether to:

- Increase the deductible for next year
- Approve a supplemental appropriation at this time

The Finance Director noted that a supplemental appropriation isn't needed at this time; however, the Board can elect to approve today's proposal based on allowable funding sources noted within the existing County budget. In closing, it was clarified that although the County can elect to change its contribution, staff will not be allowed to change between family and dual plans because of any proposed rate changes initiated on the part of the County.

The County Administrator noted that the open enrollment period has passed; therefore, staff will not be allowed to move between family and dual plans because of the proposed rate changes.

Supervisor Weakley moved that the Board approve the proposed revised County ER contribution rates for health insurance for FY20, effective November 1, 2019 as presented, seconded by Supervisor McGhee. *Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).*

Information/Correspondence

PILT: The County Administrator advised that the County received a settlement check (Payment in Lieu of Taxes) totaling \$2,286.00 for the national park.

REC: Oliver Price, Rappahannock Electric Cooperative, was present for tonight's meeting.

Dangerous Intersections: John Sherer, Director of Emergency Management, was present to identify the Rt. 15 & Oak Park intersection as being extremely dangerous.

Public Comment: Chairman Jackson opened the floor for public comment. With no public comment(s) being brought forth, the session was closed.

Closed Session**12. Closed Session**

On motion of Supervisor Foster, seconded by Supervisor Hoffman, the Board convened in a closed session pursuant to Virginia Code Sections:

(A) 2.2-3711(A)(1), 2.2-3711(A)(7), and 2.2-3711(A)(8) for a report from the Commonwealth Attorney regarding

investigations at the Madison County Animal Shelter;
(B) 2.2-3711(A)(29) for discussion of the award of a public contract involving the expenditure of public funds for financial advisory services, and discussion of the terms or scope of such a contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Board of Supervisors;
(C) 2.2-3711(A)(3) for discussion or consideration of the acquisition of the Moore Building since discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board;
(D) 2.2-3711(A)(29) for discussion of the award of a public contract involving the expenditure of public funds for architectural services, and discussion of the terms or scope of such a contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Board of Supervisors;
(E) 2.2-3711(A)(7) for a report from the County Attorney regarding the opioid lawsuit; and
(F) 2.2-3711(A)(1) for discussion on the performance of the County Administrator and County Attorney.
Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).

Supervisor Foster moved that the Board re-convene in open session, seconded by Supervisor Weakley. *Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).*
Supervisor Foster moved to certify that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code Sections 2.2-3711(A) (7) and only matters that were identified in the motion to convene in a closed session were heard, discussed or considered in the closed meeting, seconded by Supervisor McGhee. *Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).*

As a result of closed session:
Supervisor McGhee moved that the County hold a public hearing on the purchase of the Moore Building on December 10, 2019, seconded by Supervisor Foster. *Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).*

Adjourn
With no further action being required, Supervisor Foster moved that the meeting be adjourned, seconded by Supervisor Weakley. Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).

R. Clay Jackson, Chairman
Madison County Board of Supervisors

Clerk of the Board of the Madison County Board of Supervisors
Copies: Board of Supervisors, County Attorney & Constitutional Officers
Adopted on: November 11, 2019



Agenda

Regular Meeting

Madison County Board of Supervisors

Tuesday, October 29, 2019 at 6:00 p.m.

County Administration Building, Auditorium

414 N Main Street, Madison, Virginia 22727

Call to Order & Determination of a Quorum

Pledge of Allegiance, Moment of Silence & Adoption of an Agenda

Public Comment

Special Appearances

1. Public Hearing: Employee Background Check (Hobbs)
2. Consideration: Madison Vines RV Park Site Plan Approval (Hobbs)
3. Presentation: Mad Cats (Gary Misch)
4. Consideration: South Park Development Erosion & Sediment Control Bond (Frye)

Constitutional Officers

County Departments

Committees or Organizations

Minutes

5. Consideration: October 8'2019 Meeting Minutes (Frye)
6. Consideration: Requests for Criglersville School Artifacts (Frye)
7. Discussion: Conflict of Interest Training Reminder (Frye)
8. Discussion: Pending Committee Reappointments & Vacancies (Frye)

Old Business

9. Consideration: Criglersville School Demolition Contract Award & Permit Fee Waiver (Hobbs)
10. Discussion: Criglersville Museum House Lease (Hobbs)
11. Discussion: Work session on Personnel Policy (Hobbs)

New Business

1. Finance (Costello)

Information/Correspondence

Closed Session

12. [Virginia Code Section 2.2-3711(A)(1), (A)(7), (A)(8), (A)(29), (A)(3)]

Adjourn